

EXHIBIT A
DECLARATION OF FATHIREE ALI

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

FATHIREE ALI,
Plaintiff,

vs

Case No. 1:21-cv-71
Honorable Hala Y. Jarbou
Magistrate Phillip J. Green

STEVE ADAMSON, DAVID LEACH,
and SHANE JACKSON
Defendants.

DEPOSITION OF FATHIREE ALI

I, Fathiree Ali, state the following:

DEFINITIONS:

- QUR'AAN: It is a miracle, and it is the speech of Allaah. It is the legal authority, and duty for every Muslim to follow. To disbelieve or reject any part of the Qur'aan is disbelief.
- HALAAL: Lawful, all which Allaah says is permitted. Compliance attains love and draws one closer to Allaah, it increase faith, and is rewarded with deeds/provisions in this life and the Hereafter.
- HARAAM: Unlawful, forbidden and punishable in this life and the Hereafter. Can take one out of the fold of Islam.
- HALAL DIET - By authority of Q&S, a halal diet consist of meat, dairy, chicken, dates, honey and eggs, as part of a daily diet. To exclude the "and" conjunction to Allah's statement is to reject His benefits/guidance/lesson/commands.
- SHIRK: Polytheism, it is to worship others along with Allaah.
- MUSHIRKUN: One who practice shirk. Polytheist, pagans, idolaters and disbelievers in the Oneness of Allaah and His Messenger (saw). (See 16:20)

RELIGIOUS PRACTICE

I am a Muslim and faithfully study and adhere to the tenets of Al-Islam, which takes its legislation/guidance from the Qur'aan and Sunnah. My teachings over the past 34 years, govern all of my life activities, and I do my best to adopt the pattern of conduct/character lived by Prophet Muhammad saw. I try faithfully to obey all rules and regulations of the religion. Since 1989, I attended all Friday prayer services and available Ta'leem studies, except for when I did not receive or had a conflict callout. Disobedience is not an option

because it can deprive me of Allah's blessings, His guidance, His help, His safety; and darken my heart so that I will be cast into the Hell Fire as a disbeliever.

The Qur'aan contains general verses and imperative verses. While the former can be considered recommended, the latter is not. Obedience to Allaah's commands are acts of worship, which provide many rewards.

- those who are disobedient, Allah cuts off their guidance and any blessings; and in some cases cause them worldly suffering. Allaah will place a seal on their hearts, and they will become deaf, dumb and blind to guidance. Thus continuous disobedience removes honor, labels one as a criminal and evil doer, and seals off knowledge. Proof is in Allaah's Words that: "Verily those who believe, then disbelieve, then believe (again) and (again) disbelieve, and go on increasing in disbelief; Allaah will not forgive them nor guide them on the (right) way. Give the hypocrites the tidings that there is for them a painful torment. [4:137-138].

As a Muslim, I am commanded to consume a halaal diet. Such diet must include meat, vegetables, dairy, chicken, eggs, honey, fish, cheese, lamb, fats of meat. To exclude any of these foods from my diet is a form of rejection causing a major sin and act of disbelief.

- the meat contains a fat [shahm], it's nutritional, which Muslims are required to digest for its nutrition, blessings. Shahm can not be acquired from non-meat products. [6:146]

- As a Muslim I can only use utensils which have never been used in the cooking, serving and contact with pork, pork bi-products, or non-Halal meat products unless the utensils have been purified as prescribed by Islamic law.

- Because I am unable to regularly consume a halaal diet, I suffer from a lack of nutrition, and inadequate calories. As a result I have been examined by MDOC Health Care and prescribed medication for dizziness, increased headaches, dry skin, dry eyes, and loss of weight. I sleep more than normal, and think slower with slurred speech. It is stressful and burdensome.

- My beliefs are modified because of the unavailability of halaal foods, which at time causes me to violate my tenets. Islam prohibits begging and dependency of a woman. Men are protectors and maintainers of women. So now, shamefully because I am not given, nor can I maintain a complete halaal diet, my wife provide me funds to eat as my belief commands. This act seriously compromises my belief, and when I'm out of food, due to high cost, I have to ask (beg) for money from her. It is, burdensome, embarrassing, and sinful. The DOC pays me \$.42 a day, for a 3 day week when I am provided employment.

- Under Islamic tenets, the **Vegan diet is HARAM**, because it excludes foods (meat, fats, dairy, eggs, etc.) which Allaah has specifically prescribed as part of a Muslims diet. When these foods are not consumed, by me as a Muslim, I become a fasiq (sinful), and hinder of good, transgressor, (50:25)], criminal, mushrikun. And the stubborn disbeliever will be thrown into Hell [50:24].

REQUEST FOR A HALAAL DIET

- Each Ramadan since 2003, I made request for a halaal diet. However, my accommodation was never approved. Never have I been informed by any MDOC prison official or read a prison rule that informs me that I am not to purchase non-halaal food before applying for a vegan or alternate menu, or even that such purchases would be considered.

- In early July or June of 2017, I mailed a request for a halal diet to

Deputy Director McKee. McKee did not reply to my letter. Some time in August, I would speak with Adamson about accommodation for a halaal diet. He told me that it was not possible because I had not been approved for a vegan diet. He also told me that he sits in administrative meetings and there are no meat alternative diet for Muslims, and will never be. Because of Adamson's instruction, I took the religious test for a vegan menu.

- During the faith test administered by Adamson I told him that my studies required me to consume a halaal diet.

- Adamson and I also talked about acquiring halaal food (dates and meats) for the Muslim Ramadan fast. I gave Adamson the contact information of Muslim centers that would provide the foods for free. Adamson told me that he would talk to Warden Jackson about approval. Subsequently, Adamson told me that he and Jackson had denied the donations

- Adamson knowingly and intentionally hindered my access to an alternative diet, and meats' fat nutrition. I told Adamson that certain offered vegetarian meals at breakfast received no substitute for the meat entre, and lack even more nutrition/calories and was impeding on my health.

- when my religious diet was denied, it closed any opportunity for me to acquire a halaal diet (alternate menu). Since McKee did not respond, I complied with what I understood of the policy's ambiguity and reasserted my request to the warden and chaplain.

FIRST AMENDMENT SUBSTANTIAL BURDENS

- MDOC has NO approved halal vendors. Never been approved. Due to the time I spent as a block rep, assigned as Warden's Forum Store Committee and Assistant Chairperson, I witness overpricing of halaal meats, over that of non-halaal meats. These exploited cost deter me from making halaal purchases. Neither Jackson, nor Adamson did nothing to correct this, after I shared this information with them. These price hike seems to violate my equal protection rights.

It is a difficult compromising coercive decision... Buy, die, or turn back on your belief! There are no halaal meals in the commissary; and I am unable to bring any halaal store purchases to the chowhall to consume with my meal.

- Also, Jackson, Adamson and Leach have all refused refused donations (free) of meats, dairy, dates, etc, from Muslim masjids and/or vendors during Ramadan, religious holidays and daily meals.

- While denying halaal (free) foods, Warden Jackson and Adamson do annually approve special foods and accept foods from Christian sponsored groups, such as "Kyrex and One Day with God " for their Christian meetings.

- Adamson and Jackson, do not make halaal meats available during visits.

- On some days, I would be denied the entire meal for the day because of cross-contamination, non-halal foods, and nutrition/calories on the tray, due to the grief of disobedience, being blameworthy, inglorious and developing a hard/dark heart.

- alternative purchases are a cumbersome affliction because it dips into telephone calls, medical medical visits, clothing, lectures (Jpay), religious books to further knowledge

- it's discriminative that I pay for portions of my meals, while the fact the DOC provides Jewish (meat and dairy diets) and Buddhist inmates diets consistent with their religious are free of charge.

- My belief is based on text of Qur'aan, which hold that to maintain a halal diet, I must not only avoid certain foods that are haram, but must also eat meat and dairy that is lawful because Allaah commands it.

Chaplain Adamson told me that he sat in meeting that discussed meat diet, and that the MDOC will never and has not ever approved a meat diet for Muslim prisoners, and the alternate menu would be a waste of time.

While at Carson City Corr. Facility, I was not provided sufficient daily nutrition, and had to forego many of the meals for health reasons and cross-contamination. This has resulted in among other things, an increase in my high blood pressure, cardiac complications and digestion problems/distress. These problems arise from the lack of healthy choice meal substitutes.

NON-HALAAL STORE PURCHASES

As much as I am able, all my store purchases are halaal. When ever I do purchase non-halaal items, they are used to pay debts or exchange them for halaal chowhall meals (e.g. fish and grilled cheese). While I am not a perfect Muslim, I do my best each day to be the best Muslim I can in the sight of my Lord.

As stated at my deposition--which I have been unable to purchase its transcripts due to inaccurate information from the Defendants' attorney; and which I was not informed of it being ready -- I suffer as a result of having to compromise and modify my beliefs due to the lack of food and nutrition. The sins are burdensome and feels as if each day my soul is tasting an agonizing and eternal death.

My religious holidays (Eids) require the consumption of meat and dates for their commemoration, but Adamson, Leach and Jackson have denied me this accommodation even though it's in their religious handbook.

The BBQ Sauce and Jalapeno cheese spread do not contain ingredients that are haraam. Leach decision is unreasonable, and wrongly imposes his interpretation of halaal upon me with this decision.

As a result of my high blood pressure and Health Care Service orders, I do not consume any of the Ramon noodles ingredients. I throw away these very high flavored salt-based packets. A Muslim is not allowed to intentionally harm himself. I believe it is unreasonable that other prisoners are/were approved for the vegan menu, while they made unlawful food purchases, and I was not approved.

QUR'AANIC GUIDANCE/LEGISLATION AUTHORITY

Al Mu'minun [23:51]

"... Eat of the Tayyibat (all kinds of halal .. (meat of slaughtered animals, milk products, fats, vegetables, fruits, eggs, etc.) and do righteous deeds."

Al An'am [6:39]

"Those who reject our Ayat are deaf and dumb in the darkness. Allaah send astray who He wills and He guides on a Straight Path whom He wills."

Al Maidah, [5:87, 7:32, 16:116]

Make not unlawful which Allaah has made lawful.

An Nahl [16:68-69]

" ... your Lord inspired the bee ..there comes froth from their bellies, a drink of varying color wherein is a healing for men."

As Saff [61:2-3]

"O Believers! Why do you say that which you do not do? Most hateful it is with Allaah that you say that which you do not do."

Al A'raaf [7:10]

"And surely we gave you authority on the earth and appointed for your therein provisions (food for your life). Little thanks do you give."

Al Hajj [22:28]

"... the beast of cattle that He has provided ... eat thereof and feed therewith the poor having a hard time."

Ya Sin [36:71-73]

"Do they not see that We have created form them of what Our Hands have created, the cattle, so that they are their owners. And we have subdued them to them so that some of them they have for riding and some they eat. And they have (other) benefits from them, and they get (milk) to drink. Will they not then be grateful?"

Al An'am [6:142]

"And of the cattle (are some) for burden (like camel) and (some are) small (unable to carry burden like sheep, chickens and goats for food, meat, milk, eggs and wool). Eat of what Allaah has provide for you, and follow not the footsteps of Shaytan. Surely he is to you an open enemy."

An Nahl [16:5]

"And the cattle. He has created them for you in them there is warmth (warm clothing) and numerous benefits, and of them you eat."

An Nahl [16:66-67]

"And verily, in the cattle, there is a lesson for you. We give you to drink of that which is in their bellies, from between excretions and blood, pure milk; palatable to the drinkers." [to exclude dairy from the diet is to reject the lesson given, which will aid the increase of faith, and obedience]

An Nahl [16:14]

"And He it is Who has subjected the seat (to you) that you eat thereof fresh tender meat (i.e, fish), ... that you may be grateful."

Al An'am [6:116-122]

"And if you obey most of those on the earth, they will mislead you far away from Allaah's path [to follow the MDOC idea/definition of halal diet, will mislead me from the path.] They follow nothing but conjectures, and they do nothing but lie. ... So eat of that (meat) on which Allaah's Name has been pronounced (while slaughtering the animal), if you are believers in

His Ayat (proof, evidences, verses, lessons, signs, revelations, etc). .. And surely, many do lead (mankind) astray by their own desires through lack of knowledge. Certainly, your Lord knows best the transgressors. Leave (O mankind, all kinds of) sin, open and secret. Verily those who commit sin will get due recompense for that which they used to commit. Eat not (O believers) of that (meat) on which Allah's names has not been pronounced, for sure it is **Fisq (a sin and disobedience of Allaah)**. And certainly, the Shaytatin (devils) do inspire their friends (from mankind) to dispute with you, and if you obey them [by making al-Maitah (a dead animal) legal by eating it], then you would indeed be Mushrikun [because they (devils and their friends) made lawful to you to eat that which Allah has made unlawful to eat and you obeyed them by considering it lawful to eat, and by doing so you worshipped them, and to worship others besides Allaah is polytheism].

Al An'am, [6:138-140]

".. they say that such and such cattle and crops are forbidden, and none should eat of them except those who we allow ... lying against Him (Allaah). He will recompense them for what they used to fabricate. And they say: "What is in the bellies of such and such cattle (milk) is for our males alone... He will punish them for their attribution (of such false orders to Allaah) Verily Allaah is All Wise, All Knower. Indeed lost are they who have .. forbidden that which Allaah has provided for them, inventing a lie against Allaah. They have indeed gone astray and were not guided.

An Nisa' [4:14]

"Whoever disobeys Allaah and His Messenger, and transgress His (set) limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.

An Nisa' [4:17-18]

"Allah accepts only the repentance of those who do evil in ignorance and foolishness and repent soon; it is they whom Allaah will forgive .. and of no effect is the repentance of those who continue to do evil deeds until death faces one of them ... We have prepared a painful torment.

An Nisa' [4:34]

"Men are the protectors and maintainers of women, because Allah has made one of them to excel the other and because they spend ((to support them) from their means Therefore the righteous women are devoutly obedient (to Allaah and to their husbands).

Under 28 USC §1746, I declare under the penalty of perjury, that the facts stated in this declaration are based on my personal knowledge and I can testify competently that these statements are true and correct.

November 27, 2023


FATHIREE ALI